

REMARKS

In view of the following discussion, the Applicant submits that none of the claims now pending in the application are anticipated under the provisions of 35 USC § 102(e) or obvious under the provisions of 35 USC § 103(a). Thus, the Applicant believes that all of these claims are now in allowable form.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, the Examiner should telephone Ms. Janet M. Skafar, Esq. at (650) 988-0655 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Status of Claims

Claim 1 has been canceled. Claims 2-13 are pending. Claims 13 and 14 were previously incorrectly numbered and have been appropriately renumbered as claims 12 and 13.

Rejections under 35 USC § 112

The Examiner has rejected claims 3 and 9 under 35 USC § 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships between an Internet Service Provider (ISP) with a Traffic telephone exchange (VKC) and between an Internet Service

Provider (ISP) with a calling point, such omission amounting to a gap between the necessary structural connections.

The Applicant respectfully disagrees and traverses the rejection. The structural cooperative relationship between an Internet service provider (ISP) and a calling point is such that Internet users can access the Internet by setting up a call to a calling point that is related to an ISP. The Applicant submits that it is common general knowledge that a calling point of a specific ISP is connected to the specific ISP's network domain and that Internet users are able to dial in to the calling point in order to access the Internet via the specific ISP (see also page 1, lines 5-9, of Applicant's patent application:

"Access to the Internet is provided by so-called Internet Service Providers, indicated hereinbelow as ISP. On strategically chosen location, they have so-called calling points to which their clients, i.e., Internet users, can call for gaining access to the Internet.") The limitation "one or more number telephone exchanges (nrc) and" is added to claim 3 and to claim 9. Support for this limitation can be found on page 1, line 15: "FIG. 1 in which 'nrc 1 - 4' represent the number telephone exchanges." Also added to claim 3 and to claim 9 is the limitation "via a number telephone exchange (nrc)." Support for this limitation can be found in FIG. 2.

The Examiner has rejected claims 5 and 11 under 35 USC § 112, first paragraph, as failing to comply with the enablement requirement. The claims(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 5 and 11 recite "in case of calamities, such as failure of a calling point, Internet traffic is redirected from the first traffic telephone exchange (vkc) to the calling point in the second traffic exchange (vkc). The rejection asserts that the specification, page 4, lines 22-28, does not disclose support for this limitation.

The Applicant respectfully disagrees and traverses the rejection. In the specification, it is disclosed that redirection to a calling point is a matter to deal with in case of calamities (see page 4, lines 23-25, that "NO and ISP can make an arrangement on how to act in case of calamities, such as failure of a calling point. Users can no longer move directly to other calling points since they have no control over the choice of calling points."). The Applicant submits that this discloses support for claims 5 and 11. Redirection to a calling point in a second traffic telephone exchange is possible because a telephone exchange (nrc) is generally connected to more than one traffic telephone exchanges (vkc).

Rejections under 35 USC § 102(e)

The Examiner has rejected claims 3, 4, 6, 9, 10 and 13 under 35 USC § 102(e) as being anticipated by the Forrest patent (U.S. Patent No. 6,084,875, granted on July 4, 2000 to Antonio G. Forrest). The Applicant respectfully disagrees and traverses the rejection.

The Forrest patent does not teach or suggest, implicitly or explicitly, all the limitations of the independent claim 3.

Specifically, the Forrest patent does not disclose that a calling point of an ISP is comprised by a traffic telephone exchange (vkc). What is disclosed in the Forrest patent is that a call can be connected "to the SSP (SSP-B) (local access point) 220 where the ISP 260 resides" (See the Forrest patent, col. 4, lines 51-53).

By contrast, according to claims 3 and 9, "one or more traffic telephone exchanges (vkc's) comprise a calling point." An advantage of a calling point of an ISP being comprised by a telephone exchange (vkc) is that it is not required to lead traffic from the one vkc to the other and that a connection in the network between vkc's can be saved (See Applicant's Application, page 3, lines 32-35).

Further, the Forrest patent assumes an Intelligent Network (IN) environment. For instance, Service Control Point (SCP) and Service Switching Point (SSP) are typical IN related definitions. In the application such an assumption has not been made.

Therefore, the present invention is not shown, disclosed or suggested, explicitly or even implicitly, by the Forrest patent.

Independent claim 3, as it currently stands, contains suitable limitations directed at the distinguishing aspects of the present invention. This claim, with these limitations shown in a bolded typeface, recites as follows:

"A method for coupling the public telephone network to the Internet, by dialing a number for obtaining a connection, the number being a special number sequence that is determined for Internet service providers (ISPs), a specific number from the sequence being assigned to a specific Internet service provider (ISP), the public telephone network comprising one or more number telephone exchanges (nrc) one or more traffic telephone exchanges (vkc), characterized in that **one or more traffic telephone exchanges (vkc's) comprise a calling point giving access to the specific Internet service provider (ISP) and that Internet traffic is directly via a number telephone exchange (nrc) led to the calling point of the specific Internet service provider (ISP).**"
[emphasis added]

As such, the Applicant submits that independent claim 3 is not anticipated by the teachings in the Forrest patent. Hence independent claim 3 is patentable. Independent claim 9 contains similar limitations to independent claim 3. Therefore independent claim 9 is patentable for the same reasons as independent claim 3.

Claims 4 and 6; and claims 10 and 13 depend, directly or indirectly, from independent claims 3 and 9, and are patentable for the same reasons as claims 3 and 9, respectively.

Claims 4 and 10

The rejection also asserts that regarding claims 4 and 10, the Forrest patent discloses that the system comprises a plurality of SSPs 100 (telephone exchange), wherein each of the plurality of SSPs is connected to a plurality of STP 110 (traffic telephone exchange) for routing incoming and outgoing calls to a destination. Therefore, each SSP must have a specific number to refer the calls handled by a specified STP. See Figs. 1-3, col. 2, lines 8-32, and col. 4, lines 21-55.

According to the rejection, each SSP in the Forrest patent must have a specific number to refer the calls handled by the specified STP. However, the Applicant submits that in the Forrest patent the specific number in the SSP is an entry in a routing table that defines only via which STP (of a set of STP's that is connected to the

SSP) a call is handled but does not define how to route a call to an ISP. In the Forrest patent, the routing to an ISP is determined via an SCP (see the Forrest patent, column 4, lines 36-48: "This call is then triggered as an AIN call (step 305), which is routed from an end office 210, e.g., a Service Switching Point (SSP) for a wireline Internet user, or a Mobile Switching Center (MSC) for a wireless Internet user, serving the Internet user 200 to a Service Control Point (SCP) 240 (step 310) via a Signaling Transfer Point (STP) 230. The SCP 240 then analyses the calling number and the called (ISP) number (step 315), compares them with a list of calling numbers, ISP numbers, and associated trunklines (step 320), which is stored in a database 250, and identifies the dedicated ISP trunkline(s) 270 (step 325), which will be used to route the call to the appropriate ISP 260."). In contrast, according to claims 4 and 10 the routing to a calling point is determined according to a routing table that is comprised by a number telephone exchange (nrc) and it is not needed to incorporate an SCP in the process of determining the routing of a call to an ISP.

Therefore, for the foregoing additional reasons, the invention of claims 4 and 10 is not shown, disclosed or suggested, explicitly or even implicitly, by the Forrest patent.

Rejections under 35 USC § 103

Claims 5, 7, 11 and 14

The Examiner has rejected claims 5, 7, 11 and 14 under 35 USC § 103(a) as being obvious over the Forrest patent in view of the Kremer patent (U.S. Patent No. 5,442,620, granted on August 15, 1995 to Wilhelm Kremer). The Applicant respectfully disagrees, and this rejection is respectfully traversed.

The rejection states that regarding claims 5 and 11, the Forrest patent does not disclose if a failure occurs at a node, the transmission path will be redirected. The rejection then contends that the Kremer patent discloses an apparatus and method for preventing communications circuit misconnections in a bidirectional line-switched ring transmission system, and that if a failure occurs at a node, the transmission path will be redirected, Fig. 10-11, abstract, col. 9, line 27-col. 11, line 50. The rejection then asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the Kremer patent's method into Forrest's system in order to improve customer service.

According to the rejection, claims 5 and 11 would be obvious when the Kremer patent's method is adapted into the system of the Forrest patent. The Applicant submits that the Kremer patent discloses a method for redirecting

transmission paths in the context of bi-directional line-switched ring transmission systems (See the Kremer patent, col. 2, lines 25-26). Unlike the claimed invention, in a ring transmission system, no other nodes are introduced after a failure occurs; only the transmission path will be redirected (See the Kremer patent, FIG. 10). According to claims 5 and 11, Internet traffic is redirected in case of calamities to a new destination, i.e., the calling point in the second traffic telephone exchange (vkc) which new destination would not be obvious when considering the Forrest and Kremer patents.

Therefore the Applicant submits that claims 5 and 11 are not obvious. Because claims 7 and 14 depend from claims 5 and 11, claims 7 and 14 are patentable for the same reasons as claims 5 and 11, respectively.

Claims 2 and 8

The Examiner has rejected claims 2 and 8 under 35 USC § 103(a) as being obvious over the Forrest patent in view of the Lewis et al patent (U.S. Patent No. 5,537,464, granted on July 16, 1996, to C. Alan Lewis). The Applicant respectfully disagrees, and this rejection is respectfully traversed.

Claims 2 and 8 have been amended to depend from claims 10 and 4, respectively. The Applicant respectfully submits that the combination of the Forrest patent and the

Lewis et al patent does not teach or suggest, explicitly or implicitly, all the limitations of the claimed invention.

The Lewis et al patent discloses that a 555xxxx sequence number dialed by a user is used in order to route a call to an Enhanced Service Platform 170 that is served by a Terminating Toll Switch/service node 160 (see the Lewis et al patent, column 8, lines 54-56). The terminating toll switch (TTS) 160 is identified (via a Tandem 130) by a Service Management System 180 on basis of the dialed number (555-xxxx). The SMS 180 is a centrally located entity and is not part of the Originating Toll Switch 110.

However, in the Patent Application a specific number from the sequence (067xxx) being assigned to a specific Internet service provider (ISP) is a number that is used in a different way than a 555-xxxx number disclosed in the Lewis patent. The 067xxx number is used in relation to a routing table in a number telephone exchange (nrc) (see page 4, lines 8-11), which is not a centrally located entity. In the Patent Application a 067xxx number is not routed to a centrally located entity in order to determine the appropriate destination to which a call has to be routed. Based on this, claims 2 and 8 are amended in such as way that the amended claims 2 and 8 are dependent from claims 10 and 4 respectively.

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Therefore, the Applicant submits that claim 2 is not obvious and is patentable. Claim 8 contains similar distinguishing limitations as claim 2 and is patentable for the same reasons as claim 2.

Conclusion

Consequently, the Applicant believes that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

Respectfully submitted,

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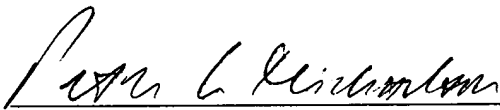
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Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 1. This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1. In Fig. 1, the legend "Prior Art" has been added.

Attachment: Replacement Sheet
 Annotated Sheet Showing Changes

FIG. 1
(PRIOR ART)

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Annotated Sheet

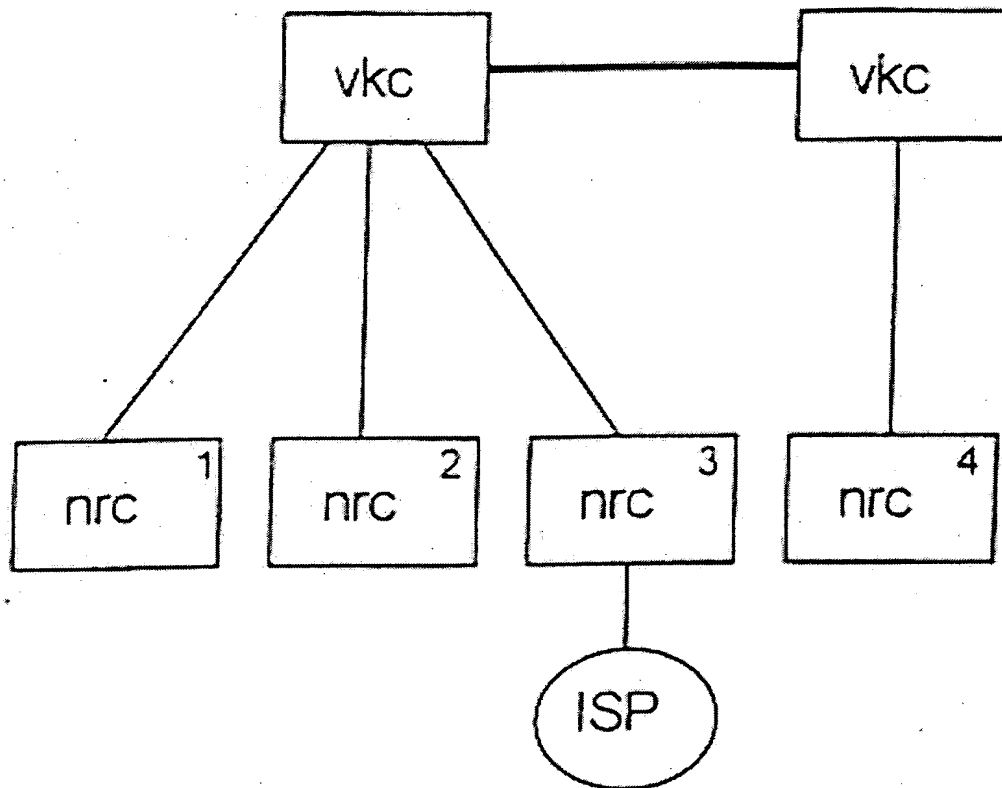


FIG. 2

